

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOVANN MARTIN,  
Defendant,

V.

UNITED STATES OF AMERICA,  
Plaintiff.

Case No: 22-CR-00639 (CS)

MOTION FOR RETURN OF PROPERTY SEIZED


Comes now, pro se Defendant, Jovann Martin, requesting that this Honorable Court order the Plaintiff, United States of America, to turnover property seized at the time of arrest.

1. At the time of Defendant's arrest, he was driving a Gray 2020 Chevrolet Tahoe Premier 4WD 4D UTV 8-6.2L Gasoline Direct Injection, Vehicle Identification Number: 1GNSKPKD2MR102601; License Plate Number 2HSP55
2. Both Defendant and another individual, India Clemons, have co-signed to the payment plan and are still making payments on the vehicle.
3. The vehicle was lawfully purchased, is registered to Defendant, and was not purchased with any fund illegally obtained.
4. The vehicle was not used in furtherance of a conspiracy or other crime.
5. The primary owner of the vehicle, India Clemons, is also being adversely affected in that her property is being impounded by the federal government.
6. There were no illegal modifications to the vehicle which would make the return of the vehicle unlawful.
7. The seizure, at this time, is unreasonable in light of the above representations and in violation of the 4th Amendment of the United States Constitution.

Defendant therefore prays that this Honorable Court would grant his motion and order the United States of America, to turnover the vehicle in question as the interests of justice so require. Defendant also prays that this Honorable Court would grant any further and other relief that is just, proper, and in accordance with law.

Dated: July 16, 2024

Respectfully Submitted,



Jovann Martin 05223-082  
FCI Danbury  
33 ½ Pembroke Road  
Danbury, CT 06811

The motion is denied for the reasons stated by the Government in its 8/30/24 letter. The Court expects the Government to follow through with its representation that it will commence a judicial forfeiture action in which Defendant and any third-party claimant may oppose forfeiture. The Clerk of Court is respectfully directed to send a copy of this endorsement to Mr. Martin, and to terminate ECF No. 51.

SO ORDERED.



CATHY SEIBEL, U.S.D.J.

10/31/24

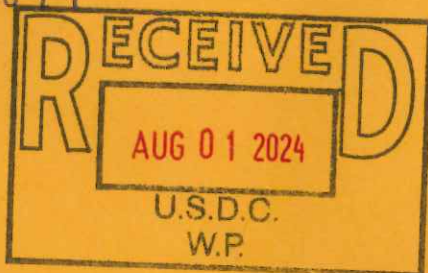
Jorann Martin  
05223-082

33 1/2 Pembroke RD

Danbury, CT

FCI Danbury

06811



WESTCHESTER NY 105

24 JUL 2024 PM 2 L



Clerk of Court

RE: The Honorable Cathy Seibel

500 Pearl St.

New York, NY

10007-131699

10007

